IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 653 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 14/03/2005 in WPMP.NO.6060 OF 2005 IN WP NO : 4539 OF 2005 on the file of the High Court.)

Between:

Sri James David kalyanapu, S/o. K.R. David,
R/o. Rajahmundry, Rajahmundry, East Godavari District.

..... APPELLANT

AND

1 State of Andhra Pradesh, Rep. by its Secretary, School Education, Secretariat, Hyderabad.
2 Commissioner & Director of School Education, Andhra Pradesh, Hyderabad.
3 Regional Joint Director of School Education, Kakinada, East Godavari District.
4 S. Immanuel Das, S/o. Yesudas,
R/o. Padisonpet, Tenali, Guntur District.

.....RESPONDENTS

Counsel for the Appellant : MR.CH.SAMSON BABU

Counsel for the Respondent Nos. 1 to 3: GP FOR SCHOOL EDUCATION

Counsel for the respondent No.4: MR. P.M. GOPAL RAO.

The Court made the following :

ORAL JUDGMENT:

(per Hon'ble The Chief Justice)

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1. Heard. We see no reason at this stage to interfere with the interim order passed by the learned single Judge declining to pass interim suspension of the order impugned in the writ petition on the ground that 4th respondent has already assumed charge as Correspondent on 04.03.2005.

2. Learned counsel for the appellant states that assumption of the charge by 4th respondent is contrary to the procedure laid down and is illegal.

3. We cannot make any observation at this stage inasmuch as the entire matter is still open and will have to be decided in the writ petition which is pending. The petitioner – appellant can take up all objections before the learned single Judge in the writ petition. At the most writ petition can be expedited, for which time has been allowed by the learned single Judge to the learned Government Pleader to file counter-affidavit. Therefore, we dismiss the appeal, but direct that writ petition be disposed of as

expeditiously as possible. No costs.

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DEVINDER GUPTA. C.J.,

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B. SESHASAYANA REDDY. J.,

Dated: 29.03.2005.

VRK.

To

1 State of Andhra Pradesh, Rep. by its Secretary, School Education, Secretariat, Hyderabad.
2 Commissioner & Director of School Education, Andhra Pradesh, Hyderabad.
3 Regional Joint Director of School Education, Kakinada, East Godavari District.
4. Two CCs to G.P., for School Education, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.

6. 2 CCS to the S.O., Writ Filing Section, High Court of A.P., Hyderabad.

*Form-NIC-OGS/WA {**SPJS**}*

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE B. SESHASAYANA REDDY.

W.A.NO. 653 OF 2005.

(Judgment of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 29.03.2005.

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